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DATE DEPOSITED: June 25, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder) Atty. Dkt. No. 8403.851
Serial No.: Not Yet Assigned)
Filed: Herewith)
For: POLYMERIC MATERIALS HAVING A)
MATTE FINISH ON A SURFACE THEREOF)

Mail Stop - Patent Application
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO-1449 (Modified)
3. ☒ Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))
4. ☒ Identification of prior application in which listed information was already cited and for which no copies are submitted or need to be submitted.
5. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

☒ A completed Form 1449 (Modified) is attached hereto.

☐ No Form 1449 (Modified) is attached.

Section 3: Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))

Plant sleeves are old in the art. Plant sleeves typically are constructed of polymer film or paper. Plant sleeves generally are tapered (trapezoidally shaped) with an open top and an open bottom, although some have a closed bottom. A plant in a pot is placed in the plant sleeve so that the sleeve covers the pot and the plant. In some instances, an upper portion of the plant sleeve is removable along a line of perforations leaving at least a portion of the sleeve around the pot. In some instances, a separate sheet of material is placed about the pot and the remaining bottom portion of the plant sleeve holds this separate sheet of material in place. Alternatively, a floral grouping alone may be placed within the sleeve.

It is also old in the art to form a sheet of material about a flower pot and then place an elastic band around the sheet of material to hold the sheet in

place about the flower pot. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a sleeve. A floral grouping or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

Section 4. Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application **U.S. Serial No. 09/921,678**, filed on **August 3, 2001**. The below listed references were submitted to and/or cited by the Office in this prior application. Therefore, copies are not submitted herewith.

U.S. PATENT DOCUMENTS			
AA	524219	Schmidt	08/07/1894
AB	583925	McGowan	06/01/1897
AC	732889	Paver	07/07/1903
AD	950785	Pene	03/01/1910
AE	1063154	Bergen	05/27/1913
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AG	1520647	Hennigan	12/23/1924
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AV	2323287	Amberg	07/06/1943
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AY	2411328	MacNab	11/19/1946
AZ	2510120	Leander	06/06/1950
BA	2529060	Trillich	11/07/1950
BB	2621142	Wetherell	12/09/1952
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BD	2688354	Berger	09/07/1954
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BI	2850842	Eubank, Jr.	09/09/1958
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GT	1000658	Netherlands	01/05/1996
GU	224507	Italy	04/30/1996
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OTHER MATERIALS			
GW	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.		
GX	Le Plant Sac Advertisement, published prior to 09/26/1987.		
GY	"Derwent Abstract" of FR 2610604A. It is noted that the abstract is an incorrect English translation of the contents of the French patent. The French patent does not enable or disclose adhesively attaching the covering to the container. 1988.		
GZ	Speed Cover ®, The Simple Solution For These Peak Volume Periods, Highland Supply Corporation, 1989.		
HA	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, ©1990.		
HB	"Color Them Happy with Highlander Products: ©1992.		
HC	"Costa Keeps the Christmas Spirit", Supermarket Floral, Sept. 15, 1992.		
HD	"Super Seller", Supermarket Floral, Sept. 15, 1992.		
HE	"Halloween", Link Magazine, Sept. 1992.		

HF	"Now More Than Ever", Supermarket Floral, Sept. 15, 1992.
HG	Chantler & Chantler brochure showing Zipper Sleeve™ and Florasheet®, published prior to 03/31/1994, 2 pages.
HH	" A World of Cut Flower and Pot Plant Packaging" Brochure, Klerk's Plastic Products Manufacturing, Inc., published prior to 03/31/1994, 6 pages.
HI	"Foil Jackets" brochure, Custom Medallion, Inc., December, 1996, 2 pages.

Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney/agent's file.

Respectfully submitted,



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Agent for Applicant



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				Application Number	Not Yet Assigned
				Filing Date	Herewith
				First Named Inventor	Donald E. Weder
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	8403.917
Sheet	1	of	13		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	524219		Schmidt	08/07/1894	
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	AR	2200111		Bensel	05/07/1940	
	AS	2268244		Davis	12/30/1941	
	AT	2278673		Savada et al.	04/07/1942	

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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U.S. PATENT DOCUMENTS						
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		Number	Kind Code ² (if known)			
	AU	2302259		Rothfuss	11/17/1942	
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Sheet	4	of	13		

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	CM	4056646		Westfall et al.	11/01/1977	
	CN	4091925		Griffo et al.	05/30/1978	
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	CP	4113100		Soja et al.	09/12/1978	
	CQ	4118890		Shore	10/10/1978	
	CR	4189868		Tymchuck et al.	02/26/1980	
	CS	4199627		Weder et al.	04/22/1980	
	CT	4216620		Weder et al.	08/12/1980	
	CU	4248347		Trimbee	02/03/1981	
	CV	4265049		Gorewitz	05/05/1981	
	CW	D259333		Charbonneau	05/26/1981	
	CX	4280314		Stuck	07/28/1981	
	CY	4292266		Weder et al.	09/29/1981	
	CZ	4297811		Weder	11/03/1981	
	DA	4333267		Witte	06/06/1982	
	DB	4347686		Wood	09/07/1982	

[illegible]

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				Application Number	Not Yet Assigned
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				First Named Inventor	Donald E. Weder
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	8403.917
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	DC	4359442		Cleminson et al.	11/16/1982	
	DD	4380564		Cancio et al.	04/19/1983	
	DE	4400910		Koudstall et al.	08/30/1983	
	DF	4413725		Bruno et al.	11/08/1983	
	DG	D279279		Wagner	06/18/1985	
	DH	4546875		Zweber	10/15/1985	
	DI	4621733		Harris	11/11/1986	
	DJ	4640079		Stuck	02/03/1987	
	DK	4717262		Roen et al.	01/08/1988	
	DL	4733521		Weder et al.	03/29/1988	
	DM	4765464		Ristvedt	08/23/1988	
	DN	4771573		Stengel	09/20/1988	
	DO	4773182		Weder et al.	09/27/1988	
	DP	4801014		Meadows	01/31/1989	
	DQ	4810109		Castel	03/07/1989	
	DR	4835834		Weder	06/06/1989	
	DS	D301991		Van Sant	07/04/1989	
	DT	4941572		Harris	07/17/1990	
	DU	4980209		Hill	12/25/1990	
	DV	5038930		Hofkamp, Jr.	08/13/1991	

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				First Named Inventor	Donald E. Weder
				Group Art Unit	Not Yet Assigned
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		Number	Kind Code ² (if known)			
	DW	5065925		Ridenour	11/19/1991	
	DX	5073161		Weder et al.	12/17/1991	
	DY	5074675		Osgood	12/24/1991	
	DZ	5094060		Caird	03/10/1992	
	EA	5105599		Weder	04/21/1992	
	EB	5111638		Weder	05/12/1992	
	EC	5120382		Weder	06/09/1992	
	ED	5152100		Weder et al.	10/06/1992	
	EE	5181364		Weder	01/26/1993	
	EF	5199242		Weder et al.	04/06/1993	
	EG	5200253		Yamaguchi et al.	04/06/1993	
	EH	5205108		Weder et al.	04/27/1993	
	EI	D335105		Ottenwalder et al.	04/27/1993	
	EJ	5228234		de Klerk et al.	07/20/1993	
	EK	5235782		Landau	08/17/1993	
	EL	5239775		Landau	08/31/1993	
	EM	5249407		Stuck	10/05/1993	
	EN	5259106		Weder et al.	11/09/1993	
	EO	5307606		Weder	05/03/1994	
	EP	5315785		Avot et al.	05/31/1994	

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		Number	Kind Code ² (if known)			
	EQ	5345745		Weder	09/13/1994	
	ER	5350240		Billman et al.	09/27/1994	
	ES	5353575		Stepanek	10/11/1994	
	ET	5361482		Weder et al.	11/08/1994	
	EU	5388386		Weder	02/14/1995	
	EV	5388695		Gilbert	02/14/1995	
	EW	5428939		Weder et al.	04/04/1995	
	EX	5443670		Landau	08/22/1995	
	EY	5448875		Weder	09/12/1995	
	EZ	5493809		Weder et al.	02/27/1996	
	FA	5496251		Cheng	03/05/1996	
	FB	5496252		Gilbert	03/05/1996	
	FC	D368025		Sekerak et al.	03/19/1996	
	FD	5526932		Weder	06/18/1996	
	FE	5572849		Weder et al.	11/12/1996	
	FF	5572851		Weder	11/12/1996	
	FG	5575133		Weder et al.	11/19/1996	
	FH	5617703		Weder	04/08/1997	
	FI	5624320		Martinez	04/29/1997	
	FJ	5647168		Gilbert	07/17/1997	

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				Filing Date	Herewith
				First Named Inventor	Donald E. Weder
				Group Art Unit	Not Yet Assigned
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		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	FO		5605		United Kingdom	05/06/1885	
	FP		345464		Germany	12/12/1921	
	FQ		5139		Germany	11/27/1930	
	FR		1166692		Germany	03/06/1964	
	FS		1376047		France	09/14/1964	
	FT		654427		Belgium	01/02/1965	
	FU		1204647		United Kingdom	09/09/1970	
	FV		2036163		France	12/24/1970	
	FW		1962947		Germany	06/24/1971	
	FX		2060812		Germany	11/04/1971	

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				Application Number	Not Yet Assigned
				Filing Date	Herewith
				First Named Inventor	Donald E. Weder
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				Attorney Docket Number	8403.917
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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	FY		2137325		France	12/29/1972		
	FZ		2147277		Germany	05/03/1973		
	GA		560532		Switzerland	04/15/1975		
	GB		2272914		France	12/26/1975		
	GC		4231978		Australia	06/21/1979		
	GD		2748626		Germany	05/03/1979		
	GE		2056410		United Kingdom	03/18/1981		
	GF		2948265		Germany	05/07/1981		
	GG		2074542		United Kingdom	11/04/1981		
	GH		2489126		France	03/05/1982		

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Substitute for form 1449A/PTO <div style="text-align: center; font-weight: bold; font-size: 1.2em;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div> <div style="text-align: center; font-style: italic;">(use as many sheets as necessary)</div>		<div style="text-align: center; font-weight: bold;">Complete if Known</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Filing Date</td> <td>Herewith</td> </tr> <tr> <td>First Named Inventor</td> <td>Donald E. Weder</td> </tr> <tr> <td>Group Art Unit</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Examiner Name</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>8403.917</td> </tr> </table>		Application Number	Not Yet Assigned	Filing Date	Herewith	First Named Inventor	Donald E. Weder	Group Art Unit	Not Yet Assigned	Examiner Name	Not Yet Assigned	Attorney Docket Number	8403.917
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Attorney Docket Number	8403.917														
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		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	GI		0050990		EPO	05/05/1982	
	GJ		2128083		United Kingdom	04/26/1984	
	GK		8301709		Netherlands	12/03/1984	
	GL		3445799		Germany	06/19/1986	
	GM		2610604		France *(See GZ below)	08/12/1988	
	GN		2619698		France	03/01/1989	
	GO		2603159		France	03/04/1989	
	GP		3829281		Germany	05/18/1989	
	GQ		3911847		Germany	10/25/1990	
	GR		2252708		United Kingdom	08/19/1992	

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			First Named Inventor	Donald E. Weder	
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		First Named Inventor	Donald E. Weder
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	GX	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.	
	GY	Le Plant Sac Advertisement, published prior to 09/26/1987.	
	GZ	"Derwent Abstract" of FR 2610604A. It is noted that the abstract is an incorrect English translation of the contents of the French patent. The French patent does not enable or disclose adhesively attaching the covering to the container. 1988.	
	HA	Speed Cover®, The Simple Solution For These Peak Volume Periods, Highland Supply Corporation, 1989.	
	HB	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, © 1990.	
	HC	"Color Them Happy with Highlander Products: © 1992.	
	HD	"Costa Keeps the Christmas Spirit", Supermarket Floral, Sept. 15, 1992.	
	HE	"Super Seller", Supermarket Floral, Sept. 15, 1992.	
	HF	"Halloween", Link Magazine, Sept. 1992.	
	HG	"Now More Than Ever", Supermarket Floral, Sept 15, 1992.	
	HH	Chantler & Chantler brochure showing Zipper Sleeve™ and Florasheet®, published prior to 03/31/1994, 2 pages.	

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			Filing Date	Herewith	
			First Named Inventor	Donald E. Weder	
			Group Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
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